



**Statement of Thomas V. Fuentes,  
Assistant Director,  
Office of International Operations,  
Federal Bureau of Investigation,  
Before the Subcommittee on Border, Maritime, and Global  
Counterterrorism,  
House Homeland Security Committee  
4 October 2007**

Good morning Chairwoman Sanchez, Ranking Member Souder, and members of the Subcommittee. I appreciate the opportunity to be here today to discuss the FBI's Legal Attaché program, its success, and coordination with our international partners and other Federal, State and Local government agencies of the United States.

**The Legal Attaché Program**

The foundation of the FBI's international program is the Office of International Operations and the Legal Attaché, or "Legat," each of whom is FBI Director Robert Mueller's personal representative in the foreign country in which he/she resides or for which he/she has regional responsibilities. FBI personnel abroad serve under the authority of the Department of State, Chief of Mission at United States Embassies around the world, at the pleasure of Ambassadors and host country governments. Their core mission is to establish and maintain liaison with principal law enforcement and security services in designated foreign countries. This liaison enables the FBI to

effectively and expeditiously conduct its responsibilities in combating international terrorism, organized crime, cyber crime, and general criminal matters. In particular, Legat liaison activities are essential to the successful fulfillment overseas of the FBI's lead Federal law enforcement mission to prevent terrorist attacks against citizens and interests of the United States. Liaison is carried out in accordance with Executive Orders, statutes, treaties, Attorney General Guidelines, FBI policies, and interagency agreements. The Legal Attaché program provides for a prompt and continuous exchange of information with foreign law enforcement and security agencies and coordination with U.S. Federal law enforcement agencies that have jurisdiction over the matters under investigation. Our foreign-based personnel also assist foreign agencies with requests for investigative assistance in the United States to encourage reciprocal assistance in counterterrorism, criminal, and other investigative matters.

In addition to the Legat program, the FBI's international law enforcement activities focus on one other key element, international training. Through international training, the FBI provides foreign law enforcement officers with skills in both basic and advanced investigative techniques and principles which promote cooperation and aid in the collection of evidence. Training allows the FBI to demonstrate major crime scene, counterterrorism, and other investigative techniques, while establishing better working relationships, thus strengthening cooperation among law enforcement personnel worldwide. Funded by the Department of State or Department of Defense, significant

training programs include the International Law Enforcement Academies in Budapest, Hungary, Bangkok, Thailand, and Gaborone, Botswana, as well as bilateral training programs targeting Anti-terrorism, Weapons of Mass Destruction, and Terrorist Financing. The FBI also participates in Bilateral Working Groups and several additional counterterrorism training programs in the Middle East.

The FBI's Legal Attaché Program was developed to pursue international aspects of the FBI's investigative mandates through established liaison with principal law enforcement and security services in foreign countries, and to provide a prompt and continuous exchange of information with these partners. The FBI currently has 60 fully operational Legat offices and 15 sub-offices, with 165 agents and 103 support personnel assigned for a total of 268 employees stationed around the world. The growth of transnational crime caused by the explosion in computer and telecommunications technology, the liberalization of immigration policies, and the increased ease of international travel has made it necessary for the United States to cooperate with countries around the world concerning security issues. The FBI's role in international investigations has expanded due to the authority granted by the Congressional application of extraterritorial jurisdiction.

As the FBI's domestic investigative responsibilities become increasingly intertwined with international criminal and terrorist elements in other countries, the FBI must continually enhance its ability to conduct complex investigations and acquire

evidence from abroad for criminal prosecutions in the United States. To do so requires close coordination with international partners and security services. Some of the FBI's most important and visible investigations are multi-national in scope, placing greater demands on the FBI, especially in the field, as more case agents are faced with challenges in obtaining admissible evidence for domestic prosecutions.

### **The Role of the Legal Attaché**

The FBI Legal Attaché works with the law enforcement and security agencies in their host country to coordinate investigations of interest to both countries. The role of Legal Attachés is primarily one of coordination, as they do not conduct foreign intelligence gathering or counterintelligence investigations. The rules for joint activities and information sharing are generally spelled out in formal agreements between the United States and the host nation.

Typical duties of a Legal Attaché include coordinating requests for FBI or host country assistance overseas; conducting investigations in coordination with the host government; sharing investigative leads and information; briefing Embassy counterparts from other agencies, including law enforcement agencies, as appropriate, and Ambassadors; managing country clearances; providing situation reports concerning cultural protocol; assessing political and security climates; and coordinating victim and humanitarian assistance.

## **Legal Attaché Coordination**

The Legal Attaché offices provide critical and timely support in the defense of our homeland through direct coordination with the Department of Justice, Department of State, Interpol, and other law enforcement and security entities. For example, the FBI has full-time detailees to the Interpol offices in Lyon, France, the United Nations, and the Washington, D.C., based National Central Bureau. Together with the Department of State, the Office of International Affairs of the Criminal Division, Department of Justice, is responsible for the negotiations of bilateral and multilateral law enforcement treaties needed to effect the extraditions of fugitives and to facilitate collection of evidence from foreign countries. In addition to the Office of International Affairs, the FBI also supports the ongoing efforts of the Department of Justice to provide long-term justice sector assistance to prosecution and police services in numerous foreign countries. This long-term assistance, which is provided through the Criminal Division's Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), and the International Criminal Investigative Training Assistance Program (ICITAP), helps to ensure that our foreign partners not only follow the most modern law enforcement techniques, but also respect the rule of law. As a result, the Legal Attaché offices benefit from their coordination, training, and mutual support. The Legal Attaché offices directly coordinate with United States Embassy representatives by personally representing the FBI as a country team member, and serving as the lead Federal law

enforcement agent for all crimes for which it exercises lead investigative jurisdiction. That includes both counterterrorism and terrorism finance investigations.

In virtually all major FBI investigations, a significant international nexus develops. To balance the FBI's interest in addressing the international aspects of its investigations with the requirement to respect the host country's national sovereignty, the FBI must rely on the capability of the host country's law enforcement community. This is accomplished through the liaison partnerships developed by the Legal Attaché and reinforced through elements of the international law enforcement community such as Interpol, the FBI's National Academy and numerous working groups, task forces, and training initiatives. These efforts foster interagency cooperation and are extremely productive in the pursuit of traditional criminal law enforcement matters, and even more so as we seek to identify, disrupt, and prosecute terrorists.

### **Legal Attaché Success**

The Legal Attaché offices have had numerous accomplishments over the years. As many of these items are sensitive, ongoing investigative matters, I offer merely a few efforts with which members of the committee may already be familiar:

- Since the September 11<sup>th</sup> attacks on the United States, the FBI's Office of International Operations has increased its personnel by 60%. This expansion has occurred domestically through operational support units at FBI Headquarters, as well as through an increase in 54% of overseas Legat office locations. On

September 11<sup>th</sup>, the FBI's Office of International Operations and Legats facilitated the rapid deployment of over 700 FBI personnel to countries in Europe, Africa, and the Middle East.

- The FBI coordinated and provided assistance to our Indonesian counterparts through Legal Attachés following the October 12, 2002, bombing in a Bali, Indonesia tourist district, which resulted in more than 200 deaths, including seven citizens of the United States. FBI personnel were on scene and offered forensic capabilities to the Indonesian National Police through the Legal Attaché office.
- As many of you recall, a large earthquake in the Indian Ocean occurred on December 26, 2004, triggering a series of lethal tsunami waves killing an estimated 230,000 people (including 168,000 in Indonesia alone.) The FBI, Legal Attaché, and Interpol personnel were involved in helping to successfully identify over 8,000 victims through fingerprint analysis.
- On May 10, 2005, the newly established Legal Attaché in Tbilisi, Georgia was assisting the United States Secret Service Presidential Protective Detail when an individual tossed an Armenian hand grenade wrapped in a red handkerchief near the President's stage. Georgian officials worked directly with Legat Tbilisi and submitted the red handkerchief and other evidentiary items to the FBI Laboratory in Quantico, Virginia for DNA analysis. Following a joint

investigative effort between the Georgians and the FBI, the suspect was captured two months later in July 2005, and subsequently convicted, based in part, on the DNA evidence gathered from the handkerchief.

- On July 7, 2005, three suicide bombers exploded Improvised Explosive Devices contained in backpacks within fifty seconds of each other on three London Underground commuter trains. A fourth bomb exploded on a bus nearly an hour later. The attacks killed 56 people, including the four suicide bombers, and injured 700. Legat London was integral in facilitating FBI assistance to New Scotland Yard.
- In 2006, Israel began a lengthy bombing and ground campaign against Hizballah elements in Beirut, Lebanon. The bombing led to a mass evacuation of Americans from Beirut to Cyprus via the United States military. Legat Athens played a critical role during the evacuation. Working with other United States Embassy personnel from the Departments of State and Justice, Legat Athens acquired copies of all United States passenger manifests to ensure terrorist elements did not enter Cyprus and attempt to enter the United States during the mass evacuation. Legat Athens then supplied manifests to the FBI's Counterterrorism Division at FBI Headquarters for review against databases. In addition, while working with the Department of Defense, Legat Athens assisted our Beirut sub-office in the expeditious return of 12 high-

ranking Lebanese law enforcement officials who had been in Washington, D.C., for FBI-sponsored training.

- In August 2007, the Department of Justice announced two plea agreements and record-setting \$600 million fines in association with a multi-national criminal conspiracy on the part of international airline corporations to fix prices on passenger and cargo flights worldwide. Several Legat offices were involved and continue to support this ongoing criminal investigation.
- This past month, Director Mueller met with European partners and stressed the importance of transatlantic cooperation and intelligence sharing, provided that national judicial traditions and laws are respected. Director Mueller also met with newly appointed members of French President Nicolas Sarkozy's cabinet to discuss ways to strengthen aggressive cooperative efforts on counterterrorism, cyber crime and transnational organized crime matters.
- A Fort Worth, Texas retiree was recently released from captivity, after being kidnapped in the Dominican Republic for a \$1 million ransom. After being dragged through the jungle, bound, gagged, blindfolded, and dumped in a cave for three days, the victim was rescued due to relationships established with the host nation's police and army forces. The FBI's Miami and Dallas Divisions, Legat, United States Embassy personnel, and FBI crisis negotiators assisted in this recovery.

- Just two weeks ago, the Department of Justice announced that Oussama Abdullah Kassir, an accused terrorist, was extradited from the Czech Republic to face charges in the Southern District of New York. Kassir was taken into FBI custody in Prague on September 25, 2007. Kassir was arrested in Prague on December 11, 2005, by Czech authorities, based on a criminal complaint filed in the Southern District of New York and a corresponding arrest warrant on file with Interpol. Legat Prague and several other FBI personnel were instrumental in this effort.

These are just a few achievements Legal Attachés have attained in order to protect our nation, its citizens and interests abroad through coordination with foreign law enforcement in the continuous fight against terrorism and international crime, in furtherance of our goal of interagency cooperation.

In closing, the FBI Legal Attachés are committed to continuing collaborative work abroad, supporting domestic FBI investigative matters, and coordinating with foreign, Federal, State and Local law enforcement agencies in the fight against terrorism. The FBI must rely on the capabilities of the host country's law enforcement community. In order to ensure that such investigations are brought to successful conclusions, the establishment and maintenance of effective liaison through training and other initiatives must be developed and maintained. The Legats must have direct connectivity between the Federal agents and foreign law enforcement officials abroad in

order to be successful. At an alarmingly frequent rate, more and more crimes are being committed across international borders. Technology, communication, and transportation have done more to blur international borders in recent years than ever before. Combating transnational crime and terrorism, therefore, requires cooperation by law enforcement agencies on a global scale. The focus of the Office of International Operations is to advance the domestic and international mission of the FBI, to promote relations with both foreign and domestic law enforcement and security services operating in the international arena, and to facilitate investigative activities where permissible.

The FBI, the Office of International Operations and its collective Legal Attaché office personnel look forward to future cooperation with all partners, domestic and foreign, to protect the citizens and interests of the United States.

Thank you Chairwoman Sanchez and members of the Subcommittee for the opportunity to testify before you today. I am happy to answer any questions you may have.